

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA	)	
	)	CRIMINAL ACTION NO.
v.	)	2:20cr102-MHT
	)	(WO)
KEYIWAN RECHARD HUMPHREY	)	

PROTECTIVE ORDER

Defendant Keyiwan Rechard Humphrey is charged with a single count of bank robbery. In October 2020, Humphrey filed a sealed motion for a competency determination (Doc. 63). Accompanying that motion was a report from an evaluation completed October 15, 2020, by Robert Shaffer, Ph.D. (Doc. 63-1). On January 8, 2021, the government had Humphrey evaluated by Kale Kirkland, Ph.D. and timely filed under seal a report by Dr. Kirkland (Doc. 99). At an on-the-record ex parte hearing on March 12, 2021, defense counsel and Dr. Kirkland agreed that Drs. Shaffer and Kirkland would exchange notes and data from psychological testing performed during the evaluations each completed of

Humphrey. These records contain information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPPA) and proprietary information related to psychological testing instruments.

Accordingly, it is ORDERED that:

(1) Drs. Robert Shaffer and Kale Kirkland are to produce the notes and data from their respective evaluations of defendant Keiwan Rechard Humphrey directly to each other.

(2) Drs. Shaffer and Kirkland may not disclose any notes and/or testing data or instruments received from the other regarding defendant Humphrey. Specifically, Dr. Shaffer may not disclose or otherwise share any notes and/or testing data and instruments received from Dr. Kirkland regarding defendant Humphrey with any person who is not a licensed mental-health provider, including any attorneys or personnel affiliated with the Office of the Federal Defender or any attorney who is retained or appointed to represent defendant Humphrey. Further, Dr. Kirkland may not disclose or

otherwise share any notes and/or testing data and instruments received from Dr. Shaffer regarding defendant Humphrey with any person who is not a licensed mental-health provider, including any attorneys or personnel affiliated with the United States Attorney's Office.

(3) Defendant Humphrey's motion for a status conference (Doc. 125) is denied as moot.

DONE, this the 15th day of March, 2021.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE